



TRANSMITTAL LETTER  
(General - Patent Pending)

Docket No.  
115274-017

Re Application Of: Levergood et al.

Application No. 09/548,235	Filing Date April 12, 2000	Examiner Patrice L Winder	Customer No. 24573	Group Art Unit 2155	Confirmation No. 6069
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Title: WEB ADVERTISING METHOD

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Response to Office Action (6 pages) and Return Receipt Postcard**

in the above identified application.

- No additional fee is required.
- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below.
  - Charge the amount of \_\_\_\_\_
  - Credit any overpayment.
  - Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Signature

Dated: December 23, 2004

Peter Zura  
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on December 23, 2004.

(Date)

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Renee Street

Typed or Printed Name of Person Mailing Correspondence



Appl. No. 09/548,235

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Levergood et al.  
Appl. No.: 09/548,235  
Conf. No.: 6069  
Filed: April 12, 2000  
Title: WEB ADVERTISING METHOD  
Art Unit: 2155  
Examiner: Patrice L. Winder  
Docket No.: 115274-017

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE PURSUANT TO 37 C.F.R. §1.111**

Sir:

This Response is submitted in response to the Office Action dated September 23, 2004. Claims 1-12 are pending in the application. None of the claims have been amended in this response.

**Oath/Declaration**

The Office Action stated that a supplemental oath or declaration is required under 37 C.F.R. §1.67 because the application presents claims for "subject matter not originally claimed or embraced in the statement of the invention." Specifically, it was submitted that the "method for charging for advertising on the web" and "the method for measuring the effectiveness of advertising" was not claimed in the parent application.

Applicants submit that the present claims are in compliance with 37 C.F.R. §1.63, and further do not require a supplemental oath or declaration pursuant to 37 C.F.R. §1.67. Specifically, 37 C.F.R. §1.67 requires a supplemental oath or declaration when a claim is presented for matter originally shown or described, but not substantially embraced in the claims originally presented. In other words, the requirements of 37 C.F.R. §1.67 does not require that every claim element be present in the originally filed claims – it is only referring to the subject matter that is claimed.